

CALIFORNIA

*San Diego County.*

El Cajon area—That portion of San Diego County bounded by a line drawn as follows: Beginning at the intersection of State Highway 67 and Mapleview Street; then east along Mapleview Street to Lake Jennings Park Road; then southeast along Lake Jennings Park Road to El Monte Road; then east along an imaginary line to the intersection of Blossom Valley Road and Flinn Springs Road; then southeast along Flinn Springs Road to Olde Highway 80; then east along Olde Highway 80 to Dunbar Lane; then south along Dunbar Lane to Alpine Boulevard; then southeast along Alpine Boulevard to Arnold Way; then south along Arnold Way to Harblson Canyon Road; then southwest along Harblson Canyon Road to Dehesa Road; then southwest along Dehesa Road to Sloane Canyon Road; then west along an imaginary line to the intersection of Willow Glenn Drive and Hillsdale Road; then northwest and west along Hillsdale Road to State Highway 54; then north along State Highway 54 to Chase Avenue; then west along Chase Avenue to Rolling Hills Drive; then west along Rolling Hills Drive to Fuerte Drive; then southwest, west, and northwest along Fuerte Drive to Severin Drive; then north along Severin Drive to Interstate Highway 8; then northeast along Interstate Highway 8 to Russell Road; then west along Russell Road to Cuyamaca Street; then north along Cuyamaca Street to Mission Gorge Road; then east along Mission Gorge Road to Woodside Avenue; then northeast along Woodside Avenue to State Highway 67; then northeast along State Highway 67 to the point of beginning.

San Diego area—That portion of San Diego County bounded by a line drawn as follows: Beginning at the intersection of Mission Gorge Road and Jackson Drive; then southeast along Jackson Drive to Grossmont Boulevard; then east along Grossmont Boulevard to State Highway 125; then south along State Highway 125 to Spring Street; then southeast along Spring Street to Broadway; then southwest along Broadway to Sweetwater Road; then south along Sweetwater Road to South Bay Parkway; then southwest along South Bay Parkway to State Highway 54; then southwest along State Highway 54 to Interstate Highway 5; then southwest along an imaginary line to the intersection of the northern boundary of Silver Strand State Beach and the Pacific Ocean coastline, on the west side of the Coronado Peninsula; then northwest and northeast along the Pacific Ocean coastline to the Wright Avenue Pier; then northwest along an imaginary line to the intersection of Harbor Drive and Nimitz Boulevard; then northwest along Nimitz Boulevard to Rosecrans Street; then northeast along Rosecrans Street to Interstate

Highway 5; then north along Interstate Highway 5 to Interstate Highway 8; then northeast along Interstate Highway 8 to Interstate Highway 15; then north along Interstate Highway 15 to Friars Road; then northeast along Friars Road to Mission Gorge Road; then northeast along Mission Gorge Road to the point of beginning.

TEXAS

*Cameron County.* The entire county.

*Hidalgo County.* The entire county.

*Willacy County.* The entire county.

[48 FR 54580, Dec. 6, 1983, as amended at 49 FR 33992, Aug. 28, 1984; 50 FR 14087, Apr. 10, 1985; 55 FR 27181, July 2, 1990; 55 FR 42699, Oct. 23, 1990; 55 FR 47738, Nov. 15, 1990; 56 FR 46108, Sept. 10, 1991; 57 FR 522, Jan. 7, 1992; 57 FR 10974, Apr. 1, 1992; 58 FR 219, Jan. 5, 1993; 58 FR 64103, Dec. 6, 1993; 59 FR 51840, Oct. 13, 1994; 61 FR 2392, Jan. 26, 1996; 61 FR 38354, July 24, 1996; 62 FR 44202, Aug. 20, 1997; 62 FR 61214, Nov. 17, 1997; 63 FR 43604, Aug. 14, 1998; 63 FR 64410, Nov. 20, 1998]

**§ 301.64-4 Conditions governing the interstate movement of regulated articles from regulated areas in quarantined States.**

Any regulated article may be moved interstate from any regulated area in a quarantined State into or through those areas listed in § 301.64(b) of this subpart only if moved under the following conditions:<sup>3</sup>

(a) With a certificate or limited permit issued and attached in accordance with §§ 301.64-5 and 301.64-8;

(b) Without a certificate or limited permit, if:

(1) Moved to any State not listed in § 301.64(b) or

(2)(i) Moved directly through (moved without stopping except under normal traffic conditions, such as for traffic lights or stop signs) any regulated area in an enclosed vehicle or completely enclosed by a covering adequate to prevent the introduction of the Mexican fruit fly (such as canvas, plastic, or closely woven cloth), and

(ii) The article originated outside of any regulated area, and

<sup>3</sup>Requirements under all other applicable Federal domestic plant quarantines and regulations must also be met.

(iii) The point of origin of the article is clearly indicated by shipping documents and its identity has been maintained.

[48 FR 54580, Dec. 6, 1983, as amended at 57 FR 522, Jan. 7, 1992]

**§ 301.64-5 Issuance and cancellation of certificates and limited permits.**

(a) A certificate shall be issued by an inspector for the movement of a regulated article if such inspector:

(1)(i) Determines that it has been treated under the direction of an inspector<sup>4</sup> in accordance with § 301.64-10; or

(ii) Determines based on inspection of the premises of origin that the premises are free from the Mexican fruit fly and the article has not been exposed to Mexican fruit fly; or

(iii) Determines based on inspection of the article that it is free from Mexican fruit fly; and

(2) Determines that it is to be moved in compliance with any additional emergency conditions necessary to prevent the spread of the Mexican fruit fly pursuant to section 105 of the Federal Plant Pest Act (7 U.S.C. 150dd);<sup>5</sup> and

(3) Determines that it is eligible for unrestricted movement under all other Federal domestic plant quarantines and regulations applicable to such article.

(b) A limited permit shall be issued by an inspector for the movement of a regulated article if such inspector:

(1) Determines, in consultation with the Deputy Administrator, that it is to

be moved to a specified destination for specified handling, utilization, processing, or for treatment in accordance with § 301.64-10 (such destination and other conditions to be specified on the limited permit), when, upon evaluation of all of the circumstances involved in each case, it is determined that such movement will not result in the spread of the Mexican fruit fly because life stages of the pest will be destroyed by such specified handling, utilization, processing, or treatment;

(2) Determines that it is to be moved in compliance with any additional emergency conditions necessary to prevent the spread of the Mexican fruit fly pursuant to section 105 of the Federal Plant Pest Act (7 U.S.C. 150dd);<sup>5</sup> and

(3) Determines that it is eligible for such movement under all other Federal domestic plant quarantines and regulations applicable to such article.

(c) Certificates and limited permits for use for movement of regulated articles may be issued by an inspector or person engaged in the business of growing, handling, or moving regulated articles provided such person is operating under a compliance agreement. Any such person may execute and issue a certificate for the interstate movement of a regulated article if such person has treated such regulated article to destroy infestation in accordance with the provisions in § 301.64-10 and the inspector has made the determination that such article is otherwise eligible for a certificate in accordance with paragraph (a) of this section; or if the inspector has made the determination that such article is eligible for a certificate in accordance with paragraph (a) of this section without such treatment. Any such person may execute and issue a limited permit for interstate movement of a regulated article when the inspector has made the determination that such article is eligible for a limited permit in accordance with paragraph (b) of this section.

(d) Any certificate or limited permit which has been issued or authorized may be withdrawn by an inspector if such inspector determines that the holder thereof has not complied with any conditions under the regulations

<sup>4</sup>Treatments shall be monitored by inspectors in order to assure compliance with the requirements in this subpart.

<sup>5</sup>Section 105 of the Federal Plant Pest Act (7 U.S.C. 150dd) provides among other things, that the Secretary of Agriculture may, whenever he deems it necessary as an emergency measure in order to prevent the dissemination of any plant pest new to or not theretofore known to be widely prevalent or distributed within and throughout the United States seize, quarantine, treat, apply other remedial measures to, destroy, or otherwise dispose of, in such manner as he deems appropriate, any product or article of any character whatsoever, or means or conveyance, which is moving into or through the United States or interstate, and which he has reason to believe is infested or infected by or contains any such plant pest.